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October 31, 2024

Via ECF

Honorable Tonianne J. Bongiovanni, U.S.M.J.
US District Court of New Jersey
Clarkson S. Fisher Building
402 East State Street, Courtroom 6 East
Trenton, NJ 08608

Re: Toskova v Princeton University
Civil Action No.: 3:24-cv-06724-RK-TJB

Dear Judge Bongiovanni:

This firm represents Defendant, The Trustees at Princeton University d/b/a Princeton University (improperly pled as The Trustees at Princeton University a/k/a Princeton University, Princeton University Department of Public Safety, Princeton University Athletics Department, Princeton University Campus Recreation Department) (“Princeton University” or “Defendant”), in the above-captioned matter. The parties submit this joint status update in accordance with the Court’s Text Minute Entry (DN 9) entered on July 22, 2024.

This matter involves a claim by plaintiff alleging personal injury allegedly suffered while participating in an intercollegiate tennis match on the campus of Princeton University. Princeton University served Request for Interrogatories and Request for Production of Documents on Plaintiff on August 6, 2024. Based on the Rules of Federal Procedure, responses to these request were due in 30 days. Plaintiff failed to serve discovery within that time period. On September 12, 2024, Princeton University followed up with Plaintiff for the outstanding discovery responses. Plaintiff acknowledged receiving the request for outstanding discovery, but did not advise when Plaintiff would respond to Princeton University’s request. On October 7, Princeton University again reached out to Plaintiff inquiring about the outstanding discovery. Plaintiff requested and Princeton University agreed to an additional three week extension to provide responses to the outstanding discovery, making Plaintiff’s response due by October 28, 2024. Plaintiff has not provided responses to the outstanding written discovery requests. Today, October 31, 2024, Plaintiff’s counsel advised that they have been having difficulty obtaining medical records as the providers are out of state in Connecticut and also providers in Canada, wherein Plaintiff treated during her winter and summer college breaks; therefore, they advised that they needed an additional extension. Additionally, Plaintiff’s counsel has been out of the office due to some medical testing.



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On June 4, 2024, Plaintiff in the Complaint included a Demand for Answers to Form C and C(2) Interrogatories. No response to said demand has been received, and today, October 31, 2024 Defendant, Princeton University advised that it is their position that no discovery has been propounded upon them, as the Form C and C(2) Interrogatories are not applicable in Federal Court and beyond that Plaintiff's request exceeds the 25 interrogatory question maximum agreed upon in the Joint Discovery Plan submitted by the parties. Additionally, it should be noted that it is Defendant Princeton Tennis Programs position that they should be dismissed from the case as they are not affiliated with the Princeton University in any manner.

Pursuant to the Court's Text Minute Entry (DN 9) entered on July 22, 2024, the discovery schedule will be addressed if the matter does not resolve. Due to the above, the parties have been unable to resolve the matter; therefore, we respectfully request that a telephone conference be scheduled with Your Honor to discuss these issues and agree upon a proposed discovery schedule for completion of discovery. Both parties have conferred and Princeton University intends to put on the record at the telephone conference, their desire to file a motion if in the future discovery is not exchanged timely.

Respectfully yours,

/s/ Yvette L. Donaldson
Yvette L. Donaldson, Esq.

cc: All Counsel of Record (via ECF)